

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL W.P.NO.2867 OF 2005

Shri.Jagdishchandra Khandelwal ..Petitioner

Vs.

State of Maharashtra & Anr. ..Respondents

Mr.S.V.Marwadi i/b Sushant P.Narkar
Advocate for Petitioner

Mr.V.B.Konde-Deshmukh A.P.P. for the State

CORAM: A.M.KHANWILKAR, J.
DATE : DECEMBER 8, 2005

P.C.

1. Heard. The grounds raised before this Court can be effectively answered by the Revisional Court.

2. As alternative efficacious remedy is available to the Petitioner by way of revision before the Sessions Court in view of the decision of this Court in the case of **V.K.Jain & Ors. Vs. Pratap V.Padode** reported in **2005(3) Mh.L.J.778**, no interference is warranted.

3. This Petition is disposed of with liberty to

take recourse to remedy of revision, if so advised.
All questions are left open.

4. The Petitioner to file such Revision Application within four weeks from today. Till such time, no precipitative action be taken against the Petitioner. Revision Application, if filed within four weeks from today, be considered on its own merits in accordance with law.

5. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Petitioner had first approached this Court, which period may be excused in computing delay.

6. Petition disposed of on the above terms.

[A.M.KHANWILKAR, J.]